

**THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:** :  
**RICHARD FLEMING** : **BK. No. 16-16033 MDC**  
**MIA FLEMING** :  
**Debtors** : **Chapter No. 13**

**FREEDOM MORTGAGE CORPORATION**  
**Movant**

**v.**

**RICHARD FLEMING** **11 U.S.C. §362**  
**MIA FLEMING**  
**Respondents**

**NOTICE OF FORBEARANCE DUE TO THE COVID-19 PANDEMIC**

Now comes **FREEDOM MORTGAGE CORPORATION** (“Creditor”), by and through undersigned counsel, and hereby submits Notice of Forbearance to the Court based on the Debtors’ request for mortgage payment forbearance due to hardship caused by the COVID-19 pandemic.

The Debtor contacted Creditor requesting a forbearance period of 4 months and has elected to not tender mortgage payments to Creditor that would come due on the mortgage starting April 1, 2020 through July 31, 2020. Creditor has granted the Debtors’ forbearance request. To the extent the forbearance period is not extended for an additional period of time as provided under the CARES Act, Debtor will resume mortgage payments beginning August 1, 2020. Near the end of the forbearance period, debtor, through counsel, will need to engage with creditor on a solution for payments suspended during the forbearance.

Creditor does not waive any rights to collect the payments that come due during the forbearance period. Furthermore, Creditor does not waive its rights under other applicable non-bankruptcy laws and regulations, including, but not limited to, RESPA, and the right to collect on any post-petition escrow shortage.

Creditor does not waive its rights to seek relief from the automatic stay for other reasons other than non-payment of the Mortgage, including, but not limited to, a lapse in insurance coverage or payment of property taxes.

/s/ Thomas Song, Esquire

Thomas Song, Esq., Id. No.89834  
Phelan Hallinan Diamond & Jones, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
Phone Number: 215-563-7000 Ext 31387  
Fax Number: 215-568-7616  
Email: Thomas.Song@phelanhallinan.com

May 1, 2020

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**IN RE:**

**RICHARD FLEMING  
MIA FLEMING**

**Debtors**

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**11 U.S.C. §362**

**CERTIFICATE OF SERVICE**

I hereby certify that service upon all interested parties, indicated below was made by sending true and correct copies of the Notice of Forbearance by electronic means on May 1, 2020.

WILLIAM C. MILLER, ESQUIRE (TRUSTEE)  
P.O. BOX 1229  
PHILADELPHIA, PA 19105

MIA FLEMING  
8500 FORREST AVENUE  
PHILADELPHIA, PA 19150-2304

GEORGETTE MILLER, ESQUIRE  
100 CENTURY PARKWAY, SUITE 200  
MOUNT LAUREL, NJ 08054

RICHARD FLEMING  
8500 FORREST AVENUE  
PHILADELPHIA, PA 19150-2304

UNITED STATES TRUSTEE  
OFFICE OF THE U.S. TRUSTEE  
200 CHESTNUT STREET  
SUITE 502  
PHILADELPHIA, PA 19106

/s/ Thomas Song, Esquire  
Thomas Song, Esq., Id. No.89834  
Phelan Hallinan Diamond & Jones, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
Phone Number: 215-563-7000 Ext 31387  
Fax Number: 215-568-7616

May 1, 2020

Email: Thomas.Song@phelanhallinan.com

# **Exhibit “A”**



PO Box 50485, Indianapolis, IN 46250-0485

LAW OFFICES OF GEORGETTE MILLER ES, GEORGETTE MILLER  
335 EVESHAM AVE  
LAWNSIDE, NJ 08045

04/24/20

Re: RICHARD FLEMING  
MIA FLEMING  
Case Number: 1616033  
Account Number: [REDACTED]

**IMPORTANT NOTICE: TO THE EXTENT THE BORROWER'S OBLIGATION HAS BEEN DISCHARGED IN BANKRUPTCY, IS SUBJECT TO THE AUTOMATIC STAY OR IS PROVIDED FOR IN A CONFIRMED PLAN, THIS COMMUNICATION IS FOR REGULATORY COMPLIANCE AND/OR INFORMATIONAL PURPOSES ONLY, AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR AN ATTEMPT TO IMPOSE PERSONAL LIABILITY FOR SUCH OBLIGATION.**

Dear Attorney,

Your client(s) initiated contact with us recently requesting a forbearance of mortgage payments as a result of impact due to the COVID-19 emergency. Therefore, Freedom has granted a forbearance on the account beginning on April 1, 2020 through and including July 31, 2020, in accordance with the CARES Act.

Due to your client's active status in bankruptcy, we are writing to ensure that, as counsel for the debtor, your client has made you aware of this forbearance request and Freedom's agreement to grant this request. We also want to ensure that you will take all actions that are necessary to address this forbearance in the bankruptcy case, as may be applicable.

We have enclosed an authorization form seeking your consent to allow Freedom and/or Freedom's representatives to continue to communicate directly with Freedom or its representatives regarding this forbearance, and any further potential loss mitigation options.



PO Box 50485, Indianapolis, IN 46250-0485

Upon receipt of this notice, please contact Freedom's designated bankruptcy counsel to confirm receipt, and to ensure that the lines of communication remain open so that we may work through this matter together.

Sincerely,

Bankruptcy Department  
Freedom Mortgage Corporation

cc: Borrower Name(s)  
FMC BK Counsel